

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ALVERENE BUTLER,,

Plaintiff,

v.

**ALABAMA DEPARTMENT OF
TRANSPORTATION, *et al.*,**

Defendants.

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CASE NO. 2:06-cv-00278-MEF-CSC

MOTION FOR EXTENSION OF TIME TO FILE
DISPOSITIVE MOTIONS

Defendants Alabama Department of Transportation, Joe McInnes, Mark T. Waits, and Patrick Todd Jackson hereby move this Court for a three-day extension of the deadline for filing dispositive motions in this case and show unto the Court as follows:

1. Defendants' counsel, Harry A. Lyles, has suffered a back injury and is out of the office.
2. Defendant's undersigned counsel has consulted with counsel for Plaintiff, who has indicated that he has no objection to this motion.
3. All other deadlines in this matter are to remain as set out in this Court's Uniform Scheduling Order of August 4, 2006 (Doc. No. 21).
4. No party shall be prejudiced as a result of this extension.

RESPECTFULLY SUBMITTED
TROY KING
ATTORNEY GENERAL

s/ Harry A. Lyles
Jim R. Ippolito, Jr. (IPP001)
Assistant Attorney General
Chief Counsel

R. Mitchell Alton, III (ALT003)
Harry A. Lyles (LYL001)
Assistant Attorneys General
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CERTIFICATE OF SERVICE

I hereby certify that, on January 22, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECT system, which will send notification to the following:

Mr. Jay Lewis, Esq.
Law Offices of Jay Lewis, L.L.C.
P.O. Box 5059
Montgomery, Alabama 36103-5059
ATTORNEY FOR PLAINTIFF

s/ Harry A. Lyles
Harry A. Lyles (LYL001)
Assistant Attorney General
Assistant Counsel

ADDRESS OF COUNSEL:

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